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HIGH COURT OF CHHATTISGARH AT BILASPUR
Writ Petition (C) No. 6876 of 2007

PETITIONER : Abdul Gani Memon S/o Adam Bhai, aged about 33 years R/o Nunera (Pali), District Korba (CG).

VERSUS

RESPONDENTS :
1. State of Chhattisgarh through the Secretary, Department of Transport, Mantralaya, DKS Bhawan, Raipur (CG).
2. Regional Transport Authority, Raipur, DKS Bhawan, Mantralaya Raipur (CG).
3. The Secretary, Regional Transport Authority, Bilaspur (CG).
4. Lakhvindrer Pal Singh S/o Late S. Surjeet Singh aged about 40 years, R/o Kusmunda District Korba (CG).

(WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA)

(SB: Hon'ble Mr. Satish K. Agnihotri, J.)

Present : Shri S.K. Bajpai, Advocate for the petitioner.
Shri Sumesh Bajaj, Govt. Advocate for the State.

ORAL ORDER
(Passed on this 19th of November, 2007)

(1) By this petition, the petitioner seeks to challenge the order dated 01.10.2007 (Annexure P/1), passed by the Regional Transport Authority, Bilaspur, whereby, the regular bus permit granted in favour of the petitioner from Korba to Bilaspur and vice-versa, vide memo No. 3027/B/07, was cancelled.

(2) There is a statutory appeal provided under the provisions of The Motor Vehicles Act, 1988, to approach the State Transport Appellate Tribunal against the order passed by the Regional Transport Authority, Bilaspur.

(3) The petitioner has bye-passed the statutory appeal provided under provisions of law and directly approached this court by way of this writ petition, seeking quashing of the order passed by the Regional Transport Authority, Bilaspur.

(4) There is no extra-ordinary circumstances which necessitates interference by this Court directly under Article 226 of the Constitution of India. The petitioner has failed to take recourse to statutory appeal provided under provisions of The Motor Vehicles Act, 1988.

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(5) Thus, this petition is not maintainable and is accordingly dismissed on the ground of availability of alternative statutory remedy under the provisions of law. No order asto costs.

(6) However, the petitioner is at liberty to take recourse to alternative statutory remedy that may be available to him under the provisions of law.

Sd/-
Satish K.Agnihotri
Judge

Sahu